

November 7, 2019

VIA ECFS

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Re: Notice of Ex Parte Presentation, *Authorizing Permissive Use of the "Next Generation" Broadcast Television Standard*, GN Docket No. 16-142

Dear Ms. Dortch:

On November 6, 2019, the undersigned met with the following members of the Media Bureau staff:

- Barbara Kreisman
- Kevin Harding
- Mark Colombo
- Andrew Manley
- Evan Morris
- Evan Baranoff
- Brendan Murray (by phone)
- Gulmira Mustapaeva (by phone)

In this meeting, a status update was provided on the activities associated with deployment of ATSC 3.0 services along with a discussion of MVPD issues related to that deployment and patent monetization concerns relative to the adoption of the Next Gen TV rules.

Specifically related to deployment activities, we discussed the market-by-market process including: targeting stations as host/guest facilities, channel mapping, hosting agreements and equipment connectivity, notification requirements and applications. Extensive ongoing work in multiple markets simultaneously was detailed as well as a description of how the Commission might accelerate those activities by permitting station operators to access unused broadcast channels in selected markets to relieve the stress on channel sharing requirements.

As to MVPD concerns that operators may be required to carry ATSC 3.0 programming or related services, we discussed that such concerns are both premature and well within the capabilities of broadcasters and MVPD operators to resolve themselves in the context of normal business dealings. Similarly, the concerns expressed that the loss of fiber connectivity might compromise back-up service restoration plans are neither new nor beyond the capabilities of broadcasters and operators to resolve. Both parties are equally at risk in the event of connectivity interruption and our interests are aligned to restore service quickly. The threat of temporary,

primary program service loss in a particular market, however, is not a reason to delay or compromise deployment of the service, which may be received in the first instance over-the-air by MVPDs with no equipment reconfigurations necessary.

Finally, with respect to concerns that MVPD operators may face “exorbitant” costs associated with new ATSC 3.0 equipment incorporating Next Gen TV patents, there is a fundamental misunderstanding of the patent monetization process. Royalties associated with ATSC 3.0-capable devices will likely be embedded in end-user device costs. Moreover, those costs will likely reflect a goal of incentivizing equipment manufacturers to include the technology, which, unlike the transition from analog to digital ATSC 1.0, is neither mandated nor flash-cut nationally. Notwithstanding the thousands of patent declarations associated with the new standard made to the ATSC, it is highly unlikely that MVPD operators will notice any significant changes to reception equipment costs related to ATSC 3.0 patents much less exorbitant rates, if and when MVPDs ultimately carry ATSC 3.0 services in the future. It is appropriate to note as well that parties declaring patents to the ATSC are bound by the ATSC rules surrounding fair, reasonable and non-discriminatory rates.

Please contact the undersigned with any questions.

Respectfully submitted,

ONE Media 3.0, LLC

/s/ Jerald N. Fritz

Jerald N. Fritz

Executive Vice President

Strategic and Legal Affairs

Attachment

cc w/attach:

Barbara Kreisman

Kevin Harding

Mark Colombo

Andrew Manley

Evan Morris

Evan Baranoff

Brendan Murray

Gulmira Mustapaeva

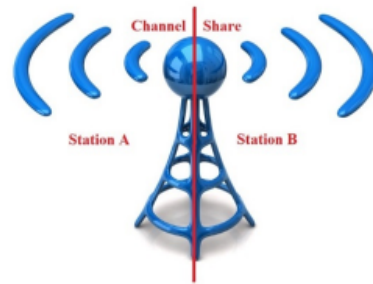


Deployment

ONE Media 3.0

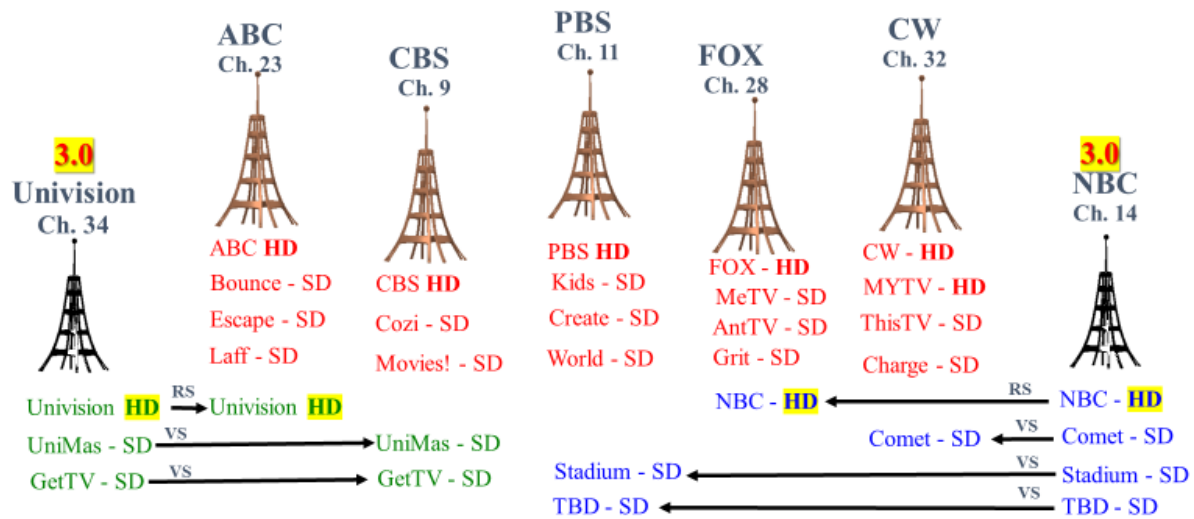
ATSC 3.0 Market Deployment Process

- **Market Targeting**
 - Identify Participating Stations (Commercial + NCE)
 - Host / Guest Determination (VHF/UHF - Signal Contours – 1.0 Total Capacity / Encoders)
 - Channel Mapping – Primary (Simulcasting) + Diginets (Format / Bit Requirements / Compression)
- **Program Rights**
 - Nets/Syndicators/Diginets – 1.0 Moves/3.0 Carriage
- **Hosting Contracts**
 - 1.0 + 3.0
- **Deployment**
 - Engineering – Equipment Installation / Connectivity
 - Notifications (MVPDs – Consumers – Auction Winners)
 - Applications



DEPLOYMENT EXAMPLE

TRANSITION – *Simulcasts* – 1.0 Hosts



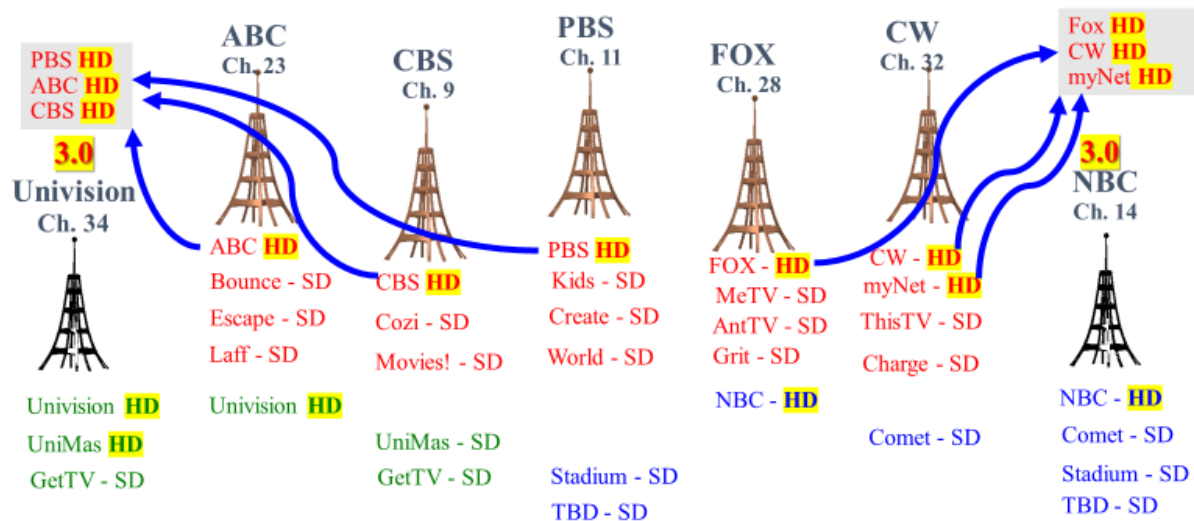
RS – Required Simulcast
VS – Voluntary Simulcast

Co-operative Market Negotiations

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DEPLOYMENT EXAMPLE

TRANSITION – *Simulcasts* – 3.0 Hosts

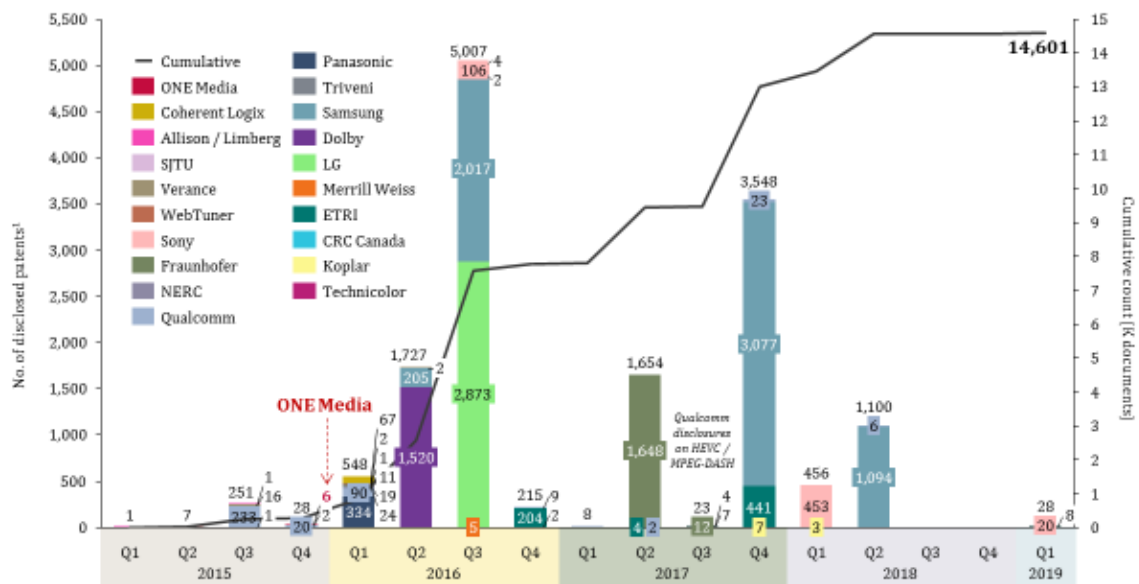


3.0 Programming – Only 1 free stream required

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ATSC 3.0 patent declarations made to the ATSC (Essentiality determined upon patent pool formation)



1. Counts are approximate based on publicly available data from the ATSC website, <http://atsc.org/policies/patent-statements/>